

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : 05 cr 621 (RJS)
v. : NOTICE OF
: APPLICATON FOR
: RECUSAL
ALBERTO VILAR and GARY TANAKA :
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Defendants.

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PLEASE TAKE NOTICE, that, upon the annexed
memorandum/declaration of Vivian Shevitz, counsel to Alberto Vilar
and for some purposes, including this motion, for Gary Tanaka,
defendants move before this Court as soon as counsel can be heard for
an Order recusing Judge Richard J. Sullivan for his appearance of
impropriety and partiality in violating SDNY Local Rule 13 in that he
has twice accepted and presided over civil cases as “related” to the
criminal case despite the clear provision of that “related case” rule: “(b)
Criminal cases are not treated as related to civil cases or vice versa”

Dated: November 7, 2013

_____/s/_____
Vivian Shevitz
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